

MAJOR MILESTONES REPORT – 6/24/20

Likely in June

Non-Responsive - Caribbean Environmental Protection Division

(CEPD/MCPB) – Jose Rivera)

- ORD Office of Science Advisor, Policy and Engagement (OSAPE) will announce the regional awardees for the Regional Sustainability and Environmental Sciences (RESES) program which funds ORD regional research to promote sustainable and healthy communities (LSASD-Mindy Pensak)
- ORD Office of Science Advisor, Policy and Engagement (OSAPE) will announce the regional awardees for the Regional State Tribal Innovation Projects (RSTIP) which provides seed funding for regional office projects (in partnership with ORD) to address state and tribal science priorities, leading to more efficient and effective environmental programs (LSASD-Mindy Pensak)

Non-Responsive - Air and Radiation Division

(ARD- Ken Fradkin)

- Approve NJDEP's adoption of amendments to the Surface Water Quality Standards (SWQS), N.J.A.C. 7:9B, that: upgrade the antidegradation designation of approximately 600 river miles to Category One (C1); update stream reclassifications based on trout sampling data; and modify the definition of "exceptional ecological significance." (WD - Brent Gaylord)
- Issue Record of Decision for the Arsenic Mines Site (SEMD – Mark Granger)
- FMC Dublin Road NPL Deletion (SEMD – Isabel Rodrigues)

Likely BEFORE the end of this Fiscal Year

- Approve NJDEP's adoption of amendments to the Surface Water Quality Standards (SWQS), N.J.A.C. 7:9B, that: upgrade the antidegradation designation of approximately 600 river miles to Category One (C1); update stream reclassifications based on trout sampling data; and modify the definition of "exceptional ecological significance." (WD - Brent Gaylord)
- Prasinós (name of firm) underground injection control draft permit public notice. Oxford, NY. (WD - Chip Hillenbrand/Kim McEathon)

Non-Responsive - Air and Radiation Division

(ARD - Linda Longo)

Non-Responsive - Air and Radiation Division (ARD – Linda Longo)

Non-Responsive - Air and Radiation Division

(ARD – Omar Hammad)

Non-Responsive - Air and Radiation Division

(ARD – Kirk Wieber)

Non-Responsive - Air and Radiation Division

(ARD – Ysabel Banon)

- Issue Record of Decision for Newtown Creek OU2
(SEMD – Caroline Kwan, Mark Schmidt, Anne Rosenblatt)
- Issue Proposed Plan and Record of Decision for Unimatic OU2
(SEMD – Trevor Anderson)
- Issue Proposed Plan for Diamond Alkali OU4
(SEMD – Diane Salkie)
- Issue Proposed Plan and Record of Decision for Imperial Oil (ROD Amendment)
(SEMD – Farnaz Saghafi)
- Issue Proposed Plan and Record of Decision for Cinnaminson OU4

(SEMD – Alida Karas)

- Issue Record of Decision for Ringwood Mines
(SEMD – Joe Gowers)
- Issue Record of Decision for Sherwin Williams/Hilliards Creek OU2
(SEMD – Ray Klimcsak)
- Issue Proposed Plan and Record of Decision for GCL OU3
(SEMD – Ashley Similo)

Non-Responsive - Caribbean Environmental Protection Division

(CEPD – Luis Santos)

- Issue Proposed Plan and Record of Decision for Facet OU3
(SEMD – Isabel Rodrigues)
- Issue Proposed Plan and Record of Decision for Riverside
(SEMD – Josh Smeraldi)
- Following the public comment period and agency reviews, the Barnegat Bay Partnership's revised estuary Comprehensive Conservation & Management Plan (CCMP) will be final.
(WD, Barbara Spinweber)
- Release of the five-year Lake Ontario Lakewide Action and Management Plan. (WD, K. Heineman & A. Sexton-Sims).

Non-Responsive - Land, Chemicals and Redevelopment Division

(LCRD – Adolph Everett)

- Following public comment and agency reviews, the Peconic Estuary Partnership's Comprehensive Conservation & Management Plan (CCMP) will be final.
(WD A. Boucher, A. Sexton-Sims)
- Submission of Regional Applied Research Effort (RARE) proposals to the Office of Science Advisor, Policy and Engagement (LSASD – Mindy Pensak).

AIR AND RADIATION DIVISION

Non-Responsive - Air and Radiation Division

Non-Responsive - Air and Radiation Division

Non-Responsive - Air and Radiation Division

Non-Responsive - Air and Radiation Division

CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION

Past Week:

NPDES:



Non-Responsive - Caribbean Environmental Protection Division

 **USVI:**

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

Non-Responsive - Caribbean Environmental Protection Division

ENFORCEMENT AND COMPLIANCE ASSURANCE DIVISION

Past Week:

New Pesticide Establishment: A new EPA establishment number was issued this week to Rozokira Holdings LLC. ECAD reached out to the company to inquire about the nature of the business and were told that the company is a "company that is producing a UVC light box ("pesticide device") for business to business disinfection and home use." ECAD provided general info on pesticide devices, stated devices cannot make false and misleading claims, provided the link to EPA's page on why UV devices are not on EPA's List N, information on establishment registration, information on importing UVC devices, and attached EPA's compliance advisory on pesticides and Coronavirus.

FIFRA Information Request Letter to Olein Recovery Corp.: ECAD sent via email an Information Request Letter (IRL) to Olein Recovery Corp. (Olein) of Yabucoa, PR on June 15, 2020 to request information in lieu of conducting an inspection. Olein is an EPA registered establishment that has been selling and

donating unregistered disinfectant products with explicit pesticidal claims, including explicit health-related and antimicrobial claims, in response to the Coronavirus pandemic. Despite EPA efforts to educate the company about the need to register the disinfectants and actions by both DPNR and PRDA, the company has continued these activities. The IRL gives Olein twenty days to respond.

FIFRA Advisory Letter to IGL Coatings: ECAD issued an Advisory Letter on June 12, 2020 to IGL Coatings of Depew, NY for offering for sale “Eco Clean Pure,” an unregistered disinfectant product. The IGL Coating Facebook page had an April 23, 2020, post with a link to their YouTube video titled, “COVID-19: What You Need To Know.” This video shows photos of EcoClean Pure and makes claims such as “Eliminates 99.99% Bacteria, Mold & Viruses” and “EcoClean Pure Disinfects.” The Advisory letter gave seven days to respond with actions taken to come into compliance. IGL Coatings contacted ECAD on June 18, 2020, saying the product will be removed from commerce and IGL Coatings will pursue FIFRA section 3 registration. ECAD responded to IGL’s letter asking for IGL’s plan to deal with existing stock of EcoClean Pure and the stock of IGL’s distributors. As of June 18, 2020, the YouTube page for IGL Coatings still has the video referencing COVID-19 and EcoClean Pure.

FIFRA Advisory Letters to WeiKang Distributors: ECAD issued eleven (11) Advisory Letter between June 12, 2020 and June 17, 2020 to marketplaces in New York identified on WeiKang’s website as distributors of the unregistered SD ST Spray. The letter gives 7 days to provide a response to EPA.

1. A Plus Pharmacy- Brooklyn, NY; **emailed on 6/12/20**
2. Gold City Supermarket- Flushing, NY; **emailed on 6/12/20**
3. Hester Pharmacy Corp.- NY, NY- **emailed on 6/12/20**
4. Hualian Supermarket- Flushing, NY- **emailed on 6/15/20**
5. Nature Farm Supermarket- Littleneck, NY- **emailed on 6/15/20**
6. NexGen Pharmacy- Brooklyn, NY- **emailed on 6/15/20**
7. Tai Lee Herbs- NY, NY- **emailed on 6/15/20**
8. Wendy Nails- Elmhurst, NY **emailed on 6/15/20**
9. ABC Pharmacy- Brooklyn, NY- **mailed on 6/16/20**
10. Premium Ginseng Corp.- Brooklyn, NY - **mailed on 6/16/20**
11. Sunrise Herbs Inc.- Brooklyn, NY - **mailed on 6/16/20**

FIFRA Notice of Refusal of Admission to Canature WaterGroup: On June 15, 2020, ECAD issued a Notice of Refusal of Admission (NORA) to Canature WaterGroup of Carmel, IN for importing misbranded pesticide devices without filing a Notice of Arrival. The products in this shipment are Pura UV Lamps for disinfecting water. The devices were not labeled with an EPA establishment number. The products must be exported within 90 days under supervision of U.S. Customs and Border Protection.

FIFRA Notice of Refusal of Admission to UV Pure Technologies: On June 16, 2020, ECAD issued a Notice of Refusal of Admission (NORA) to UV Pure Technologies of Toronto, ON, Canada for importing misbranded pesticide devices. The products in this shipment are Hallett UV disinfection devices. The devices were not labeled with an EPA establishment number on their packaging. The products must be exported within 90 days under supervision of U.S. Customs and Border Protection.

Inquiry from U.S. Customs and Border Protection on FIFRA: On June 12, 2020, ECAD was contacted by U.S. CBP at JFK Airport because they had received questions from importers and customs brokers on the import of antimicrobial products. ECAD provided an explanation of which antimicrobial products are regulated by EPA, and the requirements for importing antimicrobial pesticides.

Regional Administrator's Pending Action Items: N/A

Subject	Date Sent to RA's Office	Required By/Due Date	Comments

Other Items of Interest: N/A

LABORATORY SERVICES AND APPLIED SCIENCE DIVISION

Upcoming:

Region 2 Laboratory:

At this time, laboratory operations have been suspended except for emergency analysis. Under Phase-1 return restrictions, limited analysis shall resume in the laboratory starting July 6th, 2020. (POC: J. Bourbon)

HWSB-SST Superfund Sampling Projects – Currently Suspended:

Pioneer Metal Finishing groundwater sampling, NJ	TBD
Pierson's Creek groundwater sampling, Kearny, NJ	TBD
Zschiegner groundwater sampling, Howell, NJ	TBD
Waldick Aerospace groundwater sampling, Wall, NJ	TBD
Imperial Oil groundwater sampling, Morganville, NJ	TBD
Smithtown groundwater sampling, Smithtown, NY	TBD
Syncon Resins groundwater sampling, Kearny, NJ	TBD

Vineland Chemical surface water/sediment sampling, Vineland, NJ	TBD
Robintech-Passive bag deployment, Vestal, NY	TBD
Olean/Loohn's Dry Cleaners groundwater sampling, Olean, NY	TBD
Hopewell Precision water/VI sampling, Hopewell, NY	TBD
Arsenic Mines sampling, Kent, NY	TBD
Lightman Drum groundwater sampling, Winslow, NJ	TBD

(POC: A. Jackson)

HWSB-HWSS: Data Validation Projects Scheduled:

Rockaway Borough Well Field, Rockaway Township, NJ

Rocky Hill Municipal Well, Rocky Hill Borough, NJ

Lawrence Aviation, Port Jefferson Station, NY

MetalTec Aerosystems, Franklin Borough, NJ

Price landfill, Pleasantville, NJ

South Jersey Clothing Company, Minotola, NJ

(POC: Narendra Kumar)

Past Week:

Regional/ORD Community of Science Networking Program: This annual event has been officially postponed from October 2020 to June 2021. The meeting is planned to be held the week of June 7th at ORD's lab in Cincinnati, OH. (POC: M. Pensak)

Regional Science Council Meeting: Christine Ash of the Water Division provided an overview of the Lead in Newark Drinking Water Study and the RSL provided an update on funding of Regional ORD projects to the RSC. (POC: M. Pensak)

National Atmospheric Deposition Program (NADP): As part of the NADP, ORD is proposing to collect wet deposition (precipitation) samples from two locations within Region 2 to test new PFAS analytical methods. ORD will be partnering with NJDEP, USGS and SUNY Albany to collect these samples. (POC:M. Pensak)

Supporting Superfund Remedial Response Process with Decision Analysis: A Remedial Alternatives Prioritization Case Study: An ORD fact sheet on Multiple Criteria Decision Analysis (MCDA) to aid in the selection of Superfund remedies is being reviewed by the RSL. (POC: M. Pensak)

Annual Meeting on Scientific Integrity (SI): June 17, 2020, the Region 2 QA & SI Manager and Region 2 personnel participated via Adobe Connect and Audioconference in the Annual Meeting on Scientific Integrity (SI). EPA's SI Policy, issued in February 2012, provides a framework to ensure scientific integrity throughout EPA and to promote scientific and ethical standards, communications with the public, the use of peer review and advisory committees, and professional development. Francesca T. Grifo, EPA's SI Official, reported on SI at EPA to ~780 attendees. In addition, Associate Deputy Administrator Doug Benevento, EPA Science Advisor Jennifer Orme-Zavaleta, and the OIG's EPA Whistleblower Protection Coordinator, Lori Ruk, and Hotline Coordinator, Kevin Collins participated in the meeting. (POC: L. Maue)

NYSDEC Air Work Plan FY20-21: AWQAT received a request to review and provide comments on the NYSDEC Division of Air Resources Work Plan SFY 20-21. (POC: O. Sohail)

HETF Quality Management Plan Renewal: The EPA reviewed and concurred on the renewal of the QMP for the Haudenosaunee Environmental Task Force. The HETF assists the Onondaga Nation, the Tonawanda Seneca Nation, and the Tuscarora Nation in their respective collaborations with the EPA. The QMP will be in effect for the next five years. (POC: K. Tang)

Commonwealth Oil Refining Company (CORCO) Stack Test Protocol: LSASD-MAB reviewed and approved CORCO's revised stack test protocol for one vapor combustion unit at its bulk petroleum terminal located in Peñuelas, Puerto Rico. This air emissions test is required under an Administrative Compliance Order issued by the EPA. The Office of Regional Counsel has transmitted the approval letter to CORCO's counsel. (POC: K. Tang)

Barnegat Bay Partnership Quality Management Plan Renewal: Revisions to the Barnegat Bay Partnership 2020-2025 Quality Management Plan were discussed with the grantee, NJDEP and EPA. Changes have been accepted and the QMP had been approved by Region 2. As part of the National Estuary Program, the Barnegat Bay Partnership (BBP) is an ongoing cooperative effort among Federal, State, and Local government agencies, academic institutions, nongovernmental organizations, and

businesses which developed the Comprehensive Conservation Management Plan (CCMP) for the Barnegat Bay. The BBP has developed and integrated quality assurance practices into all phases of the environmental data collection activities under its funding purview. These quality assurance practices are focused on ensuring that all data used by the BBP (i.e., existing data or “secondary” data) and generated through BBP funding are scientifically valid, defensible, of high quality, and designed to meet data user requirements. (POCs: E. Nelson (LSASD); B. Spinweber (WD))

National Fish and Wildlife Foundation: AWQAT began discussions with Region 1 QA on development of a Quality Management Plan for National Fish and Wildlife Foundation (NFWF) who manages the [Long Island Sound Futures Fund](#). The QMP would be joint with R1 and R2, as both NY and CT subrecipients are involved. Next steps involve coordination with both R1 and R2 project officers and QA management. NFWF hopes to follow similar process as was done with Region 3 for Chesapeake Bay grant. The National Fish and Wildlife Foundation's Long Island Sound Futures Fund supports projects to fully restore the health and living resources of Long Island Sound. It operates within a partnership of federal and state agencies, foundations, non-governmental organizations, educational institutions, user groups, and individuals dedicated to restoring and protecting the Sound. (POC: E. Nelson).

Phytoremediation Study in New York City QAPP: AWQAT reviewed the revisions to the project and the QAPP was approved by EPA (AWQAT & PO) on June 18, 2020. This project plans to evaluate the ability of plants and soil bacteria and fungi to mitigate exposure to heavy metals (Pb) and polycyclic aromatic hydrocarbons through stabilization and microbial degradation, respectively at the Living Shoreline site of Randall's Island Park. (POC: S. Rao)

Development of an Ecological Index for Palustrine Wetland Assessment in Puerto Rico: AWQAT reviewed the revisions to the QAPP. All comments have been adequately addressed and the QAPP is being finalized for approval. (POC: C. Lynes/E. Nering)

Colesville Landfill: SST reviewed the Site Management Plan for the Colesville Landfill site located in Broome County, NY. Previous surface water samples from a spring next to a stream (North Stream) which runs adjacent to the site contained site-related contaminant concentrations that exceeded water quality standards. The Site Management Plan indicated that the remedy for the spring involved the installation of a subsurface stone infiltration bed in the area of the spring to prevent the contaminated spring water from exfiltrating above the land surface. Surface water and sediment monitoring will be continued on a semi-annual basis. (POC: M. Clemetson)

Citizen Science: On June 23rd, LSASD and CEPD staff met to discuss the state of the Citizen Science Equipment Loan Program in the Caribbean, specifically regarding the next steps for the system of Equipment Loan Centers established in 2018. Recent natural disasters and the pandemic have led to less public use of the equipment than originally anticipated; thus discussions were had about current issues

and how/when to best go about reinvigorating interest and use. CEPD's Miguel Batista was also newly added to our intrepid team. (POC: R. Leta-Graham)

Clean Waters Turnover and Replacement: MOS maritime personnel escorted the successful bidder for the Clean Waters to the vessel and allowed them to conduct an inspection. This included an engine operation inspection. MOS personnel developed and sent the GSA Fleet contracting personnel the technical specifications for the Clean Waters replacement. (POC: N. Johansen)

LSASD-MAB Front Office, MAB-MOS and HWSB File Plans: A Records Management Meeting was held with Kate Russ, Region 2 Records Liaison Officer on June 18 and 23, 2020 by various LSASD groups. Dialogue included proposed updates to each organization's file plans. The updates are being entered in the proposed and analogous categorical sections of each file plan. In addition, there will be Regional updates to all Region 2 file plans involving items such as: guidance changes; new systems: realignment changes; and other changes. (POC – L. E. Bourodimos and A. Michael)

Pollution Prevention (P2) Poster 2020: The poster was finalized, presenting the LSASD P2 program. It is initially intended for internal use (including other regulatory/governmental partners such as NJDEP, NYSDEC). In the future, with analogous planned changes, it will be used for external organizations as well. (POC – L. E. Bourodimos)

Region 2 – Lead Action Plan: The Lead Team had a teleconference call to discuss Region 2 “go to” material to communicate the risks of lead. The AO/R9 Lead for Lead Action requested the materials to help a subcommittee of the EPA National Risk Communication Workgroup to develop a toolkit on lead. (POC: T. Tran)

RCRA Inspections and Enforcement at Commercial Laboratories Webinar: This webinar was presented by the Northeast Waste Management Officials Association (NEWMOA). Inspectors from NJDEP and NYSDEC discussed common challenges with the proper classification, handling, and disposal of hazardous waste at commercial labs. (POC: B. Morrell)

HWSB-HWSS: Superfund/Brownfield QAPPs & Documents Received:

BF – Former Duofold Facility, Ilion, NY

SF – Fairlawn RDWP

SF – McGuire AFB OU 3 TCRA QAPP

(POC: D. Ringel)

HWSB-HWSS: Superfund/Brownfield QAPPs & Documents Completed:

BF – 5222 Lockport Junction Rd., Cambria, NY

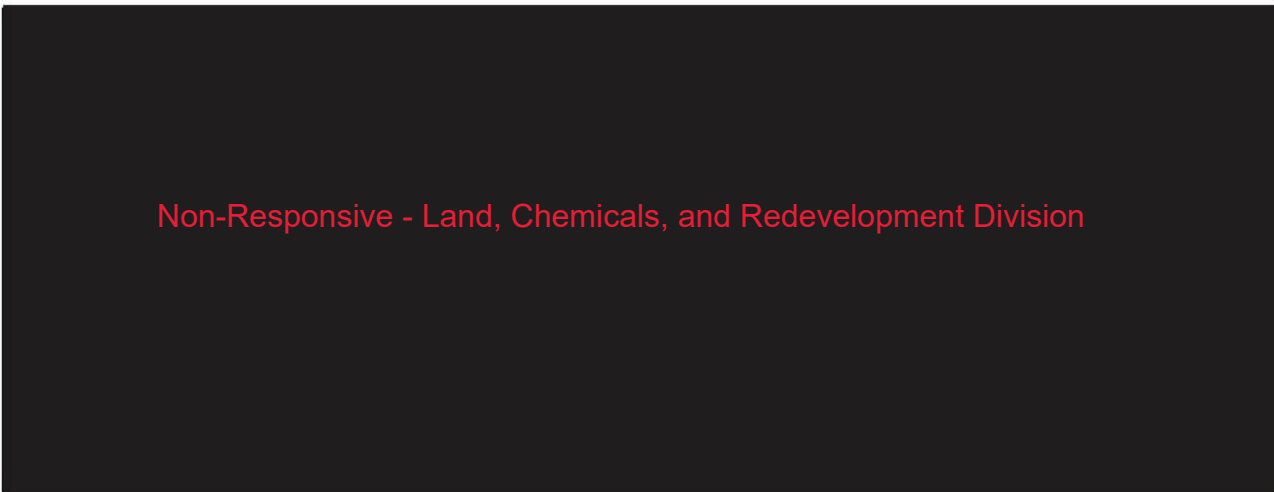
(POC: D. Ringel)

Regional Administrator’s Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA’s Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>

Other Items of Interest:

LAND, CHEMICALS AND REDEVELOPMENT DIVISION



Non-Responsive - Land, Chemicals, and Redevelopment Division

Non-Responsive - Land, Chemicals, and Redevelopment Division

MISSION SUPPORT DIVISION

Non-Responsive - Mission Support Division

Non-Responsive - Mission Support Division

OFFICE OF REGIONAL COUNSEL

Past Week:

Noise Ordinance Enacted by Town of Massena

On June 17, 2020, the Town Council of Massena, NY gave final approval to its new noise ordinance. We have been following this issue because of the potential impact of the ordinance on the Grasse River Superfund cleanup by Arconic. According to the Town Attorney, the final ordinance is the same as the May 11th draft version, which set a blanket prohibition on construction work between 10 p.m. and 7 a.m. (8 a.m. on weekends), including a prohibition of night-time vehicular construction traffic. The ordinance specifically mentions dredging and riverbed work as being covered by the prohibition. If the prohibition on nighttime work is observed by Arconic, there would be a delay in the completion of the dredging and capping in the Grasse River. EPA has been told verbally that the Town Supervisor does not consider the current noise levels from the Grasse River remediation project to be a problem. ORC and SEMD will discuss further whether any action should be considered by EPA with regard to the noise ordinance, and will keep the RA informed.

Agreement Reached for Private Party to Operate PREPA's Transmission and Distribution System

On June 22, 2020, the Puerto Rico Financial Oversight and Management Board (FOMB) and the Puerto Rico Electric Power Authority (PREPA) announced that PREPA has entered into a 15-year contract with an outside company, LUMA Energy, for the operation of PREPA's Transmission and Distribution (T&D) system. This is one of the most significant developments thus far in the ongoing effort to transform Puerto Rico's energy sector. Before it can take effect, the contract will need to be approved by Governor Wanda Vázquez and federal judge Laura Taylor Swain, who is presiding over the PROMESA Title III proceeding involving PREPA. It has been reported that the Governor is inclined to approve the contract. The contract includes an estimated 12-month transition period before the contract period commences in 2021. The transition period can be extended if PREPA has not completed the Title III process under PROMESA. LUMA Energy will manage only the T&D system, not PREPA's energy generation system.

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/ Due Date</u>	<u>Comments</u>
RA's approval sought on CAA consent decree with Town of Brookhaven	5/19/20	ASAP	
Exemption 5: Attorney-Client Communication, Attorney Work Product, Deliberative Process	5/21/20	ASAP	Exemption 5: Attorney-Client Communication, Attorney Work Product, Deliberative Process
Exemption 5: Attorney-Client Communication, Attorney Work Product	5/22/20	ASAP	
Exemption 5: Attorney-Client Communication, Attorney Work Product	6/11/20	ASAP	

Proposed letter to VI Governor re: solid waste disposal crisis in USVI	6/11/20	ASAP	
Proposed note to Doug Benevento, Peter Wright and other HQ officials re: solid waste disposal crisis in USVI	6/18/20		
Talking points for conversation with Massena Town Supervisor Steve O'Shaughnessy.	6/9/20		
Draft letter to Stella Martin	12/23/19		

PUBLIC AFFAIRS OFFICE

Hot Issues:

ORD Disinfectant Research with MTA:

As early as this week, HQ ORD expects to issue a news release about research efforts to assess whether certain disinfectants are long-lasting and effective against COVID-19 on hard surfaces in transit systems. This is expected to generate press interest, and potentially interest from elected officials.

News Releases:

June 17: [EPA Administrator Wheeler Appoints New Members to the Farm, Ranch, and Rural Communities Federal Advisory Committee](#)

June 18: [EPA Completes Steps to Transfer Access Road to Warren and Washington Counties Industrial Development Agency to Support Community Redevelopment](#)

June 23: [EPA Awards New York \\$220 Million for Water Infrastructure Improvements](#)

June 23: [EPA Awards New Jersey \\$84 Million for Water Infrastructure Improvements](#)

Upcoming News Releases:

- Proposed Plan for Unimatic Superfund Site OU2
- Proposed Plan for Riverside Park Superfund Site
- Arsenic Mine Superfund Site Record of Decision

Upcoming Community Meetings:

- Newtown Creek CAG meeting, July 15
- Diamond Alkali/Passaic River CAG meeting, July 9
- Hoosick Falls CPWG, July 22
- Riverside Industrial Virtual Public Meeting, July TBD
- Unimatic Virtual Public Meeting, July TBD

Past Week:

Newtown Creek

On June 10, EPA participated in the virtual Newtown Creek CAG meeting. EPA briefed the CAG on the status of OU1, OU2 and OU3. Mike Mintzer, the site attorney for Newtown Creek gave a presentation on *de minimis* settlements. A *de minimis* settlement, is a settlement between EPA and those parties who are responsible for a minimal contribution, in amount and toxicity, of the hazardous substances at a Superfund site, or who bought the site without knowledge of the contamination and did not cause or contribute to the contamination. Business representatives in the CAG are concerned about the impact of *de minimis* settlements. EPA expects that follow-up questions will be compiled and sent forward from the CAG. Approximately 58 attendees participated virtually. The next meeting is tentatively scheduled for July 8. (POC: Natalie Loney)

Community Involvement Mentorship Program


EPA's Superfund Community Involvement Managers formed a Mentorship Program working group for CICs to provide opportunities for seasoned CICs to share their experience with new CICs across regions. This program will also be a forum for CICs of all levels of experience to meet each other, grow and learn. Different ideas include: Junior CIC and Senior CIC mentorship across regions, CIC and CIC networking across regions, structured CIC discussion forums of specific topics for CICs to share information across regions, and more. The CI Managers will begin compiling a list of CICs and their self-identified expertise (e.g. relocation, CAG formation, TASC/TAG) and will share this list with the broader CI community. (POC: Shereen Kandil)

New Cassel/Hicksville Superfund Site

On June 17, EPA, HDR, and Cascade (driller) conducted a site visit related to the upcoming work for the **New Cassel/Hicksville Superfund Site**, which was approved by the Town of Hempstead Department of Highways in May 2020. EPA met with two of the closest residents to the planned boring location; one of the residents objected to the planned construction work and asked EPA to move the boring location. On June 23, PAO reached out to the Hempstead Town Clerk to inform them of the residents concern and communicate EPA's plan to start site construction on June 24 during business hours. (POC: Donette Samuel)

Onondaga Lake

On June 23, EPA participated in the Onondaga Lake Community Participation Working Group (CPWG) virtual meeting to discuss FYR process for Lake Bottom subsite. New York state is the lead agency for all



of the Onondaga Lake subsites, except Lower Ley Creek. Dredging of contaminated lake sediments (Lake Bottom Subsite) began in summer 2012 and was completed in November 2014. Approximately 2.2 million cubic yards of contaminated sediment was removed from the lake bottom and three shoreline areas. The dredging and related capping and habitat restoration work were performed by Honeywell International with oversight by the NYSDEC, the EPA, and the New York State Department of Health. Capping, which included the placement of more than 3 million cubic yards of material consisting primarily of sand, activated carbon, siderite, and stone, was completed in December 2016. Habitat restoration activities, including improving wetlands and planting native plants, shrubs, and trees in shoreline areas, were completed in late 2017. (POC: Larisa Romanowski)

Niagara Falls Blvd Removal Site

EPA remobilized to the Niagara Falls Blvd removal site in Niagara Falls, NY this week to complete a multifaceted three-year cleanup involving the removal of fill material (low-level radioactive slag) from beneath the parking lots of two adjoining businesses. Activities will include the application of a topcoat of asphalt throughout the parking lots in addition to backfilling and grading of the staging areas behind the businesses. The work will be completed by the end of summer. (POC Mike Basile)

Superfund Research Initiative-University of Rochester

Assisted an Associate Professor at the University of Rochester in the Department of Environmental Medicine, Matthew Rand who is assembling a team of researchers to conduct a Superfund Research Project of Western and Central NY Superfund sites, the type of hazardous waste found at these sites and their possible human health and development consequences. Reached out to our Region 2 risk assessors and have instituted a dialogue with the professor in order to assist him with background information about our activities in the region. (POC Mike Basile)


Grasse River

In-river work is currently underway. On June 22, the St. Regis Mohawk Tribe led a Seed Song and Tobacco Burning ceremony on the banks of the lower Grasse River to celebrate the in-water plantings of submerged aquatic vegetation in near shore areas that were cleaned and capped in 2019. Traditional Ecological Knowledge is an important aspect of restoration of habitats in the Grasse River cleanup. In 2013, EPA selected a cleanup plan for the lower Grasse River that called for capping of 284 acres of river bottom in the main channel, removal of approximately 109,000 cubic yards of PCB-contaminated sediment from near-shore areas, and backfilling of dredged areas with clean material. The dredging and backfilling of near-shore areas required under EPA's original plan were completed in 2019. In April 2020, EPA modified the plan through an Explanation of Significant Differences. The modification calls for removal of an additional 90,000 cubic yards of sediment from an area of the river near Snug Harbor, instead of capping. The dredging work began in late May and is currently planned to be completed in 2020. Capping and habitat reconstruction work will continue through next year. All in-river work is anticipated to be completed by 2022. (POC: Larisa Romanowski)

Upcoming:

Hoosick Falls CPWG (NYSDEC webinar)





Due to a conflict with the local high school graduation, the CPWG facilitators have cancelled the June 24 meeting. The next meeting will be held July 22. EPA had previously received a written (email) request for EPA participation in the a CPWG meeting to discuss the following national policy issues 1) EPA final rule incorporating 172 PFAS to the Toxic Release Inventory by the National Defense Authorization Act, 2) Launch of PFAS Innovative Treatment Team (PITT) and what it might mean for Hoosick residents. Staff from ORD and OCSPP were confirmed to participate, and will join for the July meeting. (POC: Larisa Romanowski)

Unimatic

On June 17, members of PAO and SEMD had an internal meeting to determine PRAP release date, public comment period, and public meeting details for the Unimatic Superfund site. The PRAP release date will be July 6 and public comment period will be July 6 – August 4. The public meeting will happen virtually via Skype, with the possibility of a small in-person gathering dependent on COVID-19 guidelines. (POC: Donette Samuel)

Wolff-Alport Superfund Site: Relocation of residents/tenants

On June 22, SEMD and PAO staff had a call with the USACE to discuss timelines for tenant and business relocations at the site. The interagency agreement to perform relocations and building demolition is expected to be completed by the end of the month with funding obligated in August. EPA will announce via community update fact sheet and press release the availability of funds in mid-August, and will reach out to impacted residents and business in August and September to provide assistance with relocation applications and conduct on-property inspections. It is estimated that tenant relocations will be complete in June 2021 and commercial relocations will be complete in December 2021. EPA and USACE will continue to work closely on the relocation efforts including preparing interagency agreements and contacting impacted residents and businesses in the months to come. (POC: Donette Samuel/Pat Seppi)

Route 203 site

Sediment and soil sampling began June 22 and is anticipated to last 2 to 3 weeks. GE is conducting sampling to delineate the nature and extent of contamination at the Route 203 site in the Town of Nassau, New York under a legal agreement with EPA. It consists of soil, sediment and groundwater sampling at 5225-5139 Route 203 (the property) and two adjacent properties, including an assessment of potential off-property transport mechanisms such as surface and groundwater flow. The agreement also calls for investigating an underground storage tank for hazardous substances, including polychlorinated biphenyls (PCBs). The agreement includes additional soil sampling at two neighboring properties. EPA is overseeing the investigation field work, which began in March 2020 and will continue through summer 2020. A summary report of the investigation results is scheduled to be submitted to EPA in late 2020. The investigation results will be used to determine the scope of any additional investigation and/or cleanup activities at the site. (POC: Larisa Romanowski)

Onondaga Lake (Lower Ley Creek subsite)

EPA is working on developing a communications strategy for the Lower Ley Creek subsite and Ley Creek Deferred Media portion of the General Motors – Inland Fisher Guide subsite of the Onondaga Lake Superfund site to develop systematic communications with local residential, commercial, and industrial entities, as well as elected officials, through consistent engagement to support EPA's design and remedial action activities. (POC: Larisa Romanowski)

Columbia Smelting/Red Hook Park

EPA will participate in a virtual meeting with local Red Hook community groups and NYC Parks on June 25. The focus of the meeting is on the status of work at Red Hook Park ball fields 5 – 9. Other topics of discussion include CAG formation, community engagement and availability of site related information in other languages and opportunities for further engagement. (POC: Natalie Loney)

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>
Call Congressman Kim re: Mr. Slappey	3/16/2020 and 4/20		Talking Points including COVID language provided via email
Kiryas Joel – RA to share letter sent to NYSDEC with Orange County attorney, Langdon Chapman	3/9/2020		Mary shared WD draft
Email to Suffolk County Legislature's Office for Rudy O'Neal to send re: Freshwater Streambed Remediation Grant	6/22	ASAP	Sabina shared draft email with RA
Cornell Dubilier Community Update Fact Sheet	6/22	August 2020	Shereen shared factsheet with RA
Email to Mary Cruz of Rep. Norcross staff re: Matteo Superfund Site for Carsen to send	6/22	ASAP	Sabina shared draft email with RA
Email to Congressman Norcross re: Sherwin Williams/Kirkwood Lakes	6/23		Sabina shared updated draft email with RA

SUPERFUND AND EMERGENCY MANAGEMENT DIVISION

Hot Issues:

Columbia Smelting and Refining Works: The Site has been deemed essential and the NYC Department of Parks has been communicating with their contractors, who have submitted a Covid-19 addendum to the HASP. Currently awaiting revisions. It is hoped that work at the Site will restart next week.

A local group has expressed concerns of dust blowing from Ballfields 5-8. Additional discussions with the community took place on June 8, 2020 and a follow-up meeting is scheduled for June 24, 2020 to address additional concerns that were raised.

Grasse River, Noise Ordinance Enacted by Town of Massena: On June 17, 2020, the Town Council of Massena, NY gave final approval to its new noise ordinance. We have been following this issue because of the potential impact of the ordinance on the Grasse River Superfund cleanup by Arconic. According to the Town Attorney, the final ordinance is the same as the May 11th draft version, which set a blanket prohibition on construction work between 10 p.m. and 7 a.m. (8 a.m. on weekends), including a prohibition of night-time vehicular construction traffic. The ordinance specifically mentions dredging and riverbed work as being covered by the prohibition. If the prohibition on nighttime work is observed by Arconic, there would be a delay in the completion of the dredging and capping in the Grasse River. EPA has been told verbally that the Town Supervisor does not consider the current noise levels from the Grasse River remediation project to be a problem. ORC and SEMD will discuss further whether any action should be considered by EPA with regard to the noise ordinance, and will keep the RA informed.

Hopewell Precision: POET system maintenance (42 out of 43 homes granted access) completed. EPA, the contractor, and the Town are discussing the timing for performing interior residential connections to the new water line. We will be gathering more info about the planned work and will communicate that to the Town when available. The Town will also let us know of any concerns the community may have. The homeowners who just had their POETs maintained, voiced no concerns about our potentially resuming work for the permanent connections to the water line.

Tutu Wellfield: The VI Government has scaled back travel restrictions to St. Thomas. The subcontractor, Frontier Services, will begin repair operations on July 6, 2020, under oversight by the ERRS contractor and the EPA representative on St. Thomas, with approval of his supervisor. EPA has modified and finalized the Site HASP to reflect COVID-19 safety measures consistent with CDC, EPA and local government guidelines.

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Woodbrook Road:

Exemption 5: Attorney-Client
Communication, Attorney Work
Product, Deliberative Process

Upcoming:

Past Week:

Maywood: RA was briefed on 6/18 regarding USACE's position that if the Administrator signs the ESD they need to have the Secretary of Defense sign on their behalf. Briefing paper for OLEM/OA prepared and is with the RA for review.

Quanta OU1: Controlled correspondence from concerned citizen to Pete Lopez received on 6/9/20. Draft response, for Pete Lopez's signature, was provided to Pat Evangelista has been revised and went to DD on 6/24/20. Background: Resident email to P. Lopez inquired about EPA's role in the redevelopment of the Quanta OU1 property after NJDEP's Division of Land Use notified the community that an application for a Waterfront Development Individual Permit, Flood Hazard Area Individual Permit, and Flood Hazard Area Verification was submitted and that NJDEP was accepting comments on the permit applications

Other Items of Special Interest:

Regional Administrator's Pending Action Items:

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>
Dewey Loeffel - Candidate Tech Memo Wrap up Summary to CAG	5/28	6/10/20	
Woodbrook Rd draft email to S. Bodine and P. Wright	-	ASAP	
Controlled correspondence from resident re: Quanta	6/24/20		Inquiry re: redevelopment status of the property

CC: R2 RA Briefing Book

STRATEGIC PROGRAM OFFICE

Past Week:

Levine Reservoir Water Storage Improvement Project Memorandum of Agreement (MOA)

The RA signed the final MOA for the Levine Reservoir Water Storage Improvements project on May 8. NJSHPO, NJDEP, NPS and PVWC have since signed the MOA. This week, ERT reached out to the City of Paterson's Historic Preservation Officer requesting the last signature from the City's Mayor before sending the MOA to the Advisory Council of Historic Preservation for execution.

Morris Canal Greenway

The Environmental Review Team participated in a conference call for the Morris Canal Greenway project to be constructed in Jersey City. Other participants included NJDEP, NJDOT and various consultants. The funding of the project was discussed along with how to implement the environmental and cultural resource review and approval process among federal and state government agencies. We requested clarification on the Technical Assistance Plan (TAP) and site remediation grants to determine next steps.

Upcoming:

NJ Wind Port: Governor Murphy announced that a new "wind port" has been designated for construction in Salem, NJ on the Delaware River. The new port will be adjacent to the Salem/Hope Creek Nuclear facility. It will be the base of construction and storage of wind turbines destined for the NJ offshore windfarms. The Environmental Review Team has contacted appropriate colleagues in R2 and R3 to determine EPA engagement in the project, including NEPA, wetlands, and air programs.

INTERNATIONAL

Non-Responsive - Strategic Program Office - International

Non-Responsive - Strategic Program Office - International

Upcoming:

COMMUNITY REVITALIZATION / ENVIRONMENTAL JUSTICE SMART SECTORS / CHILDREN'S ENVIRONMENTAL HEALTH

COMMUNITY REVITALIZATION

Past Week:

Significant Non-Compliance (Minors)

Strategic Programs, along with ECAD and WD, developed a communications strategy for coordinated outreach to approximately one dozen NPDES non-compliance communities (those considered as minors) to determine a path forward for bringing them into compliance. SPO calls to facilities began on June 16. To-date, four of the facilities have engaged us in discussions and provided updates and potential assistance needs. A briefing for the Regional Administrator is scheduled for June 30th.

Upcoming:

Region 2 Lead Action Plan:

The Region 2 Lead Team received the finalized quarterly monitoring template and FAQs on reporting out quarterly accomplishments to the Administrator's Office (AO). The first quarterly report is due to the AO by July 17.

ENVIRONMENTAL JUSTICE

Upcoming:

NEJAC

On June 23, David Kluesner, Towana Joseph and members from the NEJAC have scheduled a follow-up call on action items developed from the February 2020 OEJ/NEJAC meeting held in Jacksonville, Florida.

CHILDREN'S ENVIRONMENTAL HEALTH

Past Week:

President's Taskforce on Environmental Health Risks & Safety Risks to Children

SPO staff participated in this meeting which focused on the following:

- a) Introduction to Pediatric Environmental Health Specialty Units (PEHSUs);
- b) Lead-Free Communities (LFC) Initiative: The Path to Lead Exposure Elimination; and,
- c) Pb Subcommittee and Lead Action Plan Communications Subcommittee Check-In

OCHP has sent a request to the task force members for their input on identifying issues that need to be considered on Children's Health and Disasters.

AGRICULTURE

Past Week:

Non-Responsive - Strategic Program Office - Agriculture

DISASTER RECOVERY AND MITIGATION

Upcoming:

Non-Responsive - Strategic Program Office - Disaster Recovery
and Mitigation

TRIBAL PROGRAM

Non-Responsive - Strategic Program Office - Tribal Program

Non-Responsive - Strategic Program Office - Tribal Program

Non-Responsive - Strategic Program Office - Tribal Program

REGIONAL ADMINISTRATOR'S PENDING ACTION ITEMS

<u>Subject</u>	<u>Date Sent to RA's Office</u>	<u>Required By/Due Date</u>	<u>Comments</u>

OTHER ITEMS OF INTEREST

Strategic programs will begin training the Media Relations branch on the ELMS process. The process will be in regard to events.

WATER DIVISION

Hot Issues:

COVID-19 Water Updates: On June 30th, the Centers for Disease Control and Prevention (CDC) will begin to participate on a monthly basis in EPA's OW/OECA/WDDs/ECADDs water sector COVID-19 coordination calls.

Water Infrastructure Funds Transfer Act (aka, the Booker Amendment): The New Jersey Department of Environmental Protection completed the transfer of funds (\$109,790,175 from its Clean Water State Revolving Fund to its Drinking Water State Revolving Fund) on June 16, 2020. The transferred funds will be used by New Jersey to provide additional subsidies to address the public health threat from lead in drinking water. The funds could be used immediately by Newark, NJ and Trenton, NJ. These two communities are expected to award construction contracts for lead service line replacements in early and mid-July. (POCs: M. Shaw and S. Jewhurst)

Prasinos UIC Class V Draft Permit Update: Representatives of Prasinos provided comments and additional information on EPA's draft permit for an experimental technology Class V Underground

Injection Control (UIC). The public comment period will end on July 10th. EPA will be revising the permit as necessary in response to the comments and additional information. A public hearing may be scheduled following the comment period. (POC: C. Hillenbrand)

Upcoming:

None

Past Week:

Review of NJ CSO LTCPs: On June 16, 2020, the CWRB held a conference call with the NJDEP to discuss review of CSO LTCPs. While the NJDEP had granted an extension from June 1, 2020 to October 1, 2020 for the submittal of final CSO LTCPs, the NJDEP did receive two final LTCPs from the North Hudson Sewage Authority: River Road WWTP and Adam's Street WWTP. The NJDEP requested EPA support in the review of these LTCPs starting with the River Road LTCP. We agreed and a follow up call is planned for mid-July to discuss initial results of the review. Further request for EPA support is anticipated as the more complicated LTCPs are expected by October 1. (POC: S. Stephansen)

New York Nonpoint Source Program Performance Progress Determination: The Watershed Management Branch completed its annual Performance Progress Determination (PPD) of New York's Nonpoint Source Program. The PPD is based on the NY's FY 2019 Section 319 nonpoint source program activities as described in its FY 2019 annual report. The 2020 PPD was attached to the SFY 2020-2021 Funding Recommendation and allows the New York State Department of Environmental Conservation to drawdown on its fiscal year 2020 funds without condition. New York receives almost \$5.6M in CWA Section 319 funds. (POC: A. Boucher)

National Water Quality Initiative (NWQI) in New York: On June 16, Region 2 had a meeting with representatives of the New York State Department of Environmental Conservation (NYSDEC) and U.S. Department of Agriculture (USDA). The goal of the meeting was to select three HUC 12 watersheds as potential candidates for USDA-Natural Resource Conservation Service's (NRCS) 2020 NWQI program that complies with the 2020 USDA-NRCS Land Treatment Program Bulletin. USDA and NYSDEC will consider the HUC 12s in the Chautauqua Lake watershed. Chautauqua Lake would be in the "planning" phase, which allows for watersheds and Source Water Protection Areas to be included in NWQI and prepare for the implementation phase. This also includes funding to support State Conservationists in GIS resources, assessment guidance, and targeting tools that can assist in the development of critical source area maps that are required for the implementation phase. (POC: A. Boucher)

Other Items of Special Interest:

Long Island Sound Integrated Modeling: New York City Department of Environmental Protection (NYCDEP) has reported that the contract for the systemwide integrated water quality and hydrodynamic modeling effort was approved by the NYC Corporation Counsel on June 9. NYCDEP is now awaiting approval of the contract terms by HDR, the contractor. No issue is expected with HDR's approval. Most of the approval next steps are performed concurrently and includes for example a public hearing (required of all contracts). The most important next step is to get NYC OMB approval. Because of COVID's impact on the City budget, NYCDEP must complete for OMB a cash-flow analysis of any contract above \$100,000. The estimate now for completing contract registration is late September or early October. (POC: M. Tedesco)

Long Island Sound Government Accountability Office (GAO) Audit: The GAO is reviewing EPA's biennial update to the recommendations in *GAO-18-410: Long Island Sound Restoration: Improved Reporting and Cost Estimates Could Help Guide Future Efforts*. In response, GAO is considering closing 2 or 3 of the recommendations of the audit, but before deciding, GAO has sent two questions to EPA on the response. Our office has developed responses, which have been approved by R1 and R2 Water Division management and sent to the Regional Administrators for approval before a response is sent to the EPA GAO Liaison team for transmittal. (POC: M. Tedesco)

Regional Administrator's Pending Action Items:

Subject	Date Sent to RA's Office	Required By/ Due Date	Comments
Lake Ontario Lakewide Action and Management Plan (LAMP) Review	February 25, 2020	March 17, 2020	RA input sought prior to U.S. concurrence on public release of the LAMP on www.binational.net
Draft letter response to Lisa Jaeger, the Chairperson for the Windham Chamber of Commerce	April 3, 2020	NA	
Seneca Nation TAS for WQS	4/27/20	ASAP	We hope to get input from Lee Forsgren at OW about next steps for moving the application forward.

Enforcement Report

CONFIDENTIAL ITEMS:

Limetree Signs Consent Decree Modification for St. Croix Facility. On June 18, 2020, Limetree Bay Terminals, LLC (LBT) and Limetree Bay Refining, LLC (LBR) signed the Modification to the 2011 Consent Decree (CD) between HOVENSA, EPA and the U.S. Virgin Islands. Region 2, OECA, DOJ and the USVI (as co-plaintiff) will be seeking signatures through their respective concurrence processes. The original CD was entered into as part of the petroleum refinery initiative and required new and upgraded pollution controls, including two fuel gas recovery

systems (FGRSs), stringent emission limits and enhanced monitoring and leak-detection and repair (LDAR) practices to reduce emissions from refinery equipment and process units. HOVENSA shut down the refinery during the winter of 2012. On January 1, 2016, LBT purchased the facility in bankruptcy and immediately began negotiating to modify the CD to reflect the changes anticipated at the facility. In 2018, LBT formed an affiliate, LBR, and transferred to it certain refinery assets that are subject to the CD. (LBT and LBR are herein collectively called "Limetree Bay.") The CD Modification substitutes Limetree Bay for HOVENSA; indicates that EPA will not seek penalties from Limetree Bay for any noncompliance that occurred prior to its purchase or for units that are defined as idled units; and revises the LDAR and Benzene Waste Operations NESHAP (BWON) provisions to conform with provisions that have been negotiated in recent petroleum refinery CDs, which require repair and not mandatory replacement of leaking units. The Modification also continues to require LDAR and BWON audits and provides that penalties will not be sought for violations identified and reported during the initial audits, provided that identified noncompliance is corrected. In addition, the Modification allows a period in which Limetree Bay can demonstrate that it can comply with flaring requirements without the installation and operation of FGRSs. However, the FGRS must be installed and operated if specified triggers are exceeded. Once the CD Modification has been signed by all the parties, it will be lodged with the court and a public comment period will be initiated. (ORC contact: Flaire Mills, 212-637-3198)

Exemption 5: Attorney-Client Communication, Attorney Work Product,
Deliberative Process
Exemption 7(a): Law Enforcement

NON-CONFIDENTIAL ITEMS:

Litigation Stayed following Death of Defendant in CWA Case. After receiving news on June 12, 2020 that defendant Gordon Smith, Sr. passed away, the United States, on June 22, asked the district court to cancel the Show Cause Hearing that had been scheduled to take place on June 24 in our civil action against Mr. Smith for Clean Water Act §301 and 404 violations on Shinnecock Nation Territory. Pursuant to Federal Rule of Civil Procedure 25(a), if the United States wishes to proceed with this case, it must file a notice of death, and within 90 days thereafter, file a motion for an order substituting a proper party in Smith's place (usually the executor or administrator of the decedent's estate). On June 23, the court cancelled the Show

Cause Hearing and granted the United States' request for 20 days to file a notice of death. Given that Smith appeared *pro se*, and that the United States is not aware of who, if anyone, can be substituted in his place and whether there is an interest in pursuing this case, the U.S. will wait until the mourning period has passed to contact the Shinnecock Nation to discuss how best to resolve this pending matter. Previously, on May 13, 2020, the Magistrate Judge had issued an order directing Mr. Smith to appear before the court on June 24, 2020 and show cause why a default should not be entered against him based on his failures to respond to EPA's request for information and the Government's motion, and his failure to comply with orders of the court. The U.S. commenced this action on July 9, 2018, at the request of the Shinnecock Indian Nation. (ORC contact: Lauren Fischer, 212-637-3231. Program contact: Stephanie Andreescu, 212-637-3818).

Region 2 Enters into Two Consent Order Amendments at Gowanus Canal Site. On June 19, 2020, Region 2 signed an amendment to a 2017 administrative order with Gemini Arts Initiative, Inc. (Gemini) relating to the Gowanus Canal Superfund Site in Brooklyn, New York. Gemini, a non-profit developer, has agreed to perform the final phase of a removal action needed to convert a former power station into a non-profit industrial arts center. The work, valued at \$5 million, includes decontamination of PCBs within the building and construction of a new bulkhead to support the Canal dredging projected to start in late summer 2020. Separately, on June 23, 2020, Region 2 signed an amendment to a 2010 administrative order with National Grid NY. The amendment provides for a \$10,000,000 upgrade of the utility's natural gas control station bulkhead -- work needed to support a later Canal dredging phase. (ORC contact: Brian Carr, (212) 637-3170)